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November 23, 2022

**VIA ECF**

The Honorable Denise L. Cote  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1910  
New York, New York 10007

Re: *Zoetis, Inc. v. Boehringer Ingelheim Vetmedica, GmbH*, No. 21-cv-8319 (VSB): Letter Motion to Seal the Memorandum, Defendant's Statement of Facts, Declaration of Martin B. Jackson and accompanying Exhibits in Support of Defendant's Opposition to Plaintiff's Motion for Partial Summary Judgment.

Dear Judge Cote:

We write on behalf of Defendant Boehringer Ingelheim Vetmedica, GmbH ("BIV") in the above-referenced matter. Pursuant to Rule 8(B) of Your Honor's Individual Practices in Civil Cases (the "Individual Rules"), and pursuant to the Stipulated Confidentiality Agreement and Protective Order (ECF No. 25), Defendant respectfully submits this Letter Motion to Seal, requesting the (1) Memorandum of Law in Opposition to Plaintiff's Motion for Partial Summary Judgment ("Def.'s Memorandum"), (2) Defendant's Local 56.1 Response to Plaintiff's Statement of Material Undisputed Facts and Defendant's Statement of Additional Material Undisputed Facts ("Def.'s Statement of Facts"), (3) the November 23, 2022 Declaration of Martin B. Jackson ("Jackson Declaration") and accompanying Exhibits A-C be filed under sealed.

Defendant requests the Jackson Declaration and accompanying Exhibits A, B and C be sealed. These exhibits were produced to Plaintiff for the purposes of discovery. Exhibit A is marked as "CONFIDENTIAL" because it contains information that is proprietary, a trade secret or otherwise sensitive non-public information. Exhibits B and C are marked as "HIGHLY CONFIDENTIAL" because they contain information that would implicate the privacy rights of non-Parties. Exhibit A is a License Agreement between Defendant and another entity that is not a party to the litigation. Exhibit B is a License Agreement between entities that are not parties to the litigation. Exhibit C is similarly a Settlement Agreement between entities that are not parties to the litigation. *See Kewazinga Corp. v. Microsoft Corp.*, No. 18-cv-4500, 2021 WL 1222122, \*6 (S.D.N.Y. Mar. 31, 2021) (granting motion to seal confidential information, including information regarding settlements with third parties).

Defendant's Memorandum, Defendant's Statement of Facts, and the Jackson Declaration repeatedly and necessarily cite to Exhibits A-C, as well as the circumstances surrounding these Exhibits. As such, Defendant respectfully requests that Defendant's Memorandum and Statement of Facts also be sealed.

Based on the foregoing, Defendant respectfully requests that the Court grant this Motion to Seal.

Respectfully submitted,

/s/ Martin B. Jackson

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*Counsel for Defendant  
Boehringer Ingelheim  
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*Granted.  
J. Anne Cole  
11/28/22*